

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 36099

STATE OF IDAHO,)	2009 Unpublished Opinion No. 636
)	
Plaintiff-Respondent,)	Filed: October 14, 2009
)	
v.)	Stephen W. Kenyon, Clerk
)	
NICHOLAS OREN LOERTSCHER,)	THIS IS AN UNPUBLISHED
)	OPINION AND SHALL NOT
Defendant-Appellant.)	BE CITED AS AUTHORITY
)	

Appeal from the District Court of the Sixth Judicial District, State of Idaho, Bear Lake County. Hon. Peter D. McDermott, District Judge.

Judgment of conviction and concurrent unified sentences of fifteen years, with a minimum period of confinement of five years, for two counts of rape, affirmed.

Molly J. Huskey, State Appellate Public Defender; Diane M. Walker, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Lori A. Fleming, Deputy Attorney General, Boise, for respondent.

Before LANSING, Chief Judge; GUTIERREZ, Judge;
and GRATTON, Judge

PER CURIAM

Nicholas Oren Loertscher pled guilty to two counts of rape. Idaho Code § 18-6101(1). The district court sentenced Loertscher to concurrent unified terms of fifteen years, with a minimum period of confinement of five years. Loertscher appeals asserting that the district court abused its discretion by imposing excessive sentences.

Sentencing is a matter for the trial court's discretion. Both our standard of review and the factors to be considered in evaluating the reasonableness of the sentence are well established and need not be repeated here. *See State v. Hernandez*, 121 Idaho 114, 117-18, 822 P.2d 1011, 1014-15 (Ct. App. 1991); *State v. Lopez*, 106 Idaho 447, 449-51, 680 P.2d 869, 871-73 (Ct. App. 1984); *State v. Toohill*, 103 Idaho 565, 568, 650 P.2d 707, 710 (Ct. App. 1982). When reviewing

the length of a sentence, we consider the defendant's entire sentence. *State v. Oliver*, 144 Idaho 722, 726, 170 P.3d 387, 391 (2007). Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion.

Therefore, Loertscher's judgment of conviction and sentence are affirmed.